

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 1713

Short Title: Restore Juice Tax Exemption.

(Public)

Sponsors: Senator Plexico.

Referred to: Finance.

June 13, 1994

A BILL TO BE ENTITLED

AN ACT TO RESTORE THE SOFT DRINK TAX EXEMPTION FOR NATURAL JUICE WITH NO ADDITIVES OTHER THAN VITAMINS, MINERALS, OR SUGAR.

The General Assembly of North Carolina enacts:

Section 1. G.S. 105-113.46 reads as rewritten:

**"§ 105-113.46. Exemptions.**

The taxes imposed by this Article do not apply to an item that is listed in this section and, if the item is a bottled soft drink or a juice concentrate included in subdivision ~~(2)~~ ~~or (3), (2), (3), or (3a),~~ is registered with the Secretary in accordance with G.S. 105-113.47:

- (1) A natural liquid milk drink produced by a farmer or a dairy.
- (2) A bottled soft drink that contains at least thirty-five percent (35%) natural milk measured by volume and is not exempt under subdivision (1).
- (3) Natural juice.
- (3a) Juice that would be natural if it did not contain sugar.
- (4) Natural water.
- (5) A base product used to make a bottled soft drink subject to tax under this Article.
- (6) Coffee or tea in any form.
- (7) A bottled soft drink or base product sold outside the State.
- (8) A bottled soft drink or base product sold to the federal government.

1           (9)    A base product for domestic use that either contains milk or, according  
2                   to directions on the base product's container, requires milk to be added  
3                   to make a soft drink."

4           Sec. 2. G.S. 105-113.47(a) reads as rewritten:

5       "(a)   Requirement. – To be exempt from the tax imposed by this Article, the  
6 following items must be registered with the Secretary as an exempt item:

7           (1)    A bottled soft drink that contains at least thirty-five percent (35%)  
8                   natural milk measured by volume and is not exempt under G.S. 105-  
9                   113.46(1).

10          (2)    A natural juice bottled soft drink.

11          (3)    A natural juice concentrate.

12          (4)    A juice concentrate or juice bottled soft drink that would be natural if  
13                   it did not contain sugar.

14       To register an item as exempt, the person who controls the brand name or formula of  
15 the item must file an application for registration with the Secretary on a form provided  
16 by the Secretary. An application must include an affidavit stating the complete and  
17 itemized formula by volume of the bottled soft drink or juice concentrate that is the  
18 subject of the application."

19       Sec. 3. This act becomes effective October 1, 1994.